

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 175

BY EDUCATION COMMITTEE

AN ACT

1
2 RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AND AMENDING SECTION
3 33-1612, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE THAT A THOROUGH ED-
4 UCATION INCLUDES THE ACQUISITION OF CERTAIN KNOWLEDGE AND SKILLS, TO
5 PROVIDE THAT STUDENTS HAVE THE RIGHT TO AN UNINTERRUPTED EDUCATION, TO
6 PROVIDE FOR IN-PERSON INSTRUCTION WHEN POSSIBLE DURING AN EMERGENCY, TO
7 PROVIDE FOR MONITORING AND MEASURING OF STUDENT PROGRESS, AND TO MAKE
8 TECHNICAL CORRECTIONS.

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. LEGISLATIVE INTENT. Section 1, Article IX, of the Idaho Con-
11 stitution states that the stability of a republican form of government de-
12 pends mainly upon the intelligence of the people. To this end, it is the duty
13 of the legislature to establish and maintain a general, uniform, and thor-
14 ough system of public, free common schools for all Idaho elementary and sec-
15 ondary students. To ensure that Idaho's constitutional mandate is met, stu-
16 dents must have access to in-person instruction and to the educational op-
17 portunities and programs that will help them succeed in life after school.
18 The Legislature recognizes that most students, particularly those with spe-
19 cial needs and elementary students, learn best when in person in a structured
20 setting. School districts should attempt, to the greatest extent practical,
21 to provide in-person instruction to any student whose needs would best be met
22 in that manner.

23 SECTION 2. That Section 33-1612, Idaho Code, be, and the same is hereby
24 amended to read as follows:

25 33-1612. THOROUGH SYSTEM OF PUBLIC SCHOOLS. (1) As used in this sec-
26 tion:

27 (a) "Blended or hybrid instruction" means instruction through both
28 in-person and virtual instruction.

29 (b) "In-person instruction" means instruction in the physical presence
30 of an individual employed by an Idaho local education agency.

31 (c) "Virtual instruction" means synchronous or asynchronous in-
32 struction primarily through the use of technology pursuant to section
33 33-5202A(11), Idaho Code.

34 (2) The constitution of the state of Idaho, section 1, article IX,
35 charges the legislature with the duty to establish and maintain a general,
36 uniform, and thorough system of public, free common schools. In fulfill-
37 ment of this duty, the people of the state of Idaho have long enjoyed the
38 benefits of a public school system, supported by the legislature, which has
39 recognized the value of education to the children of this state. In contin-
40 uing recognition of the fundamental duty established by the constitution,
41 the legislature finds it in the public interest to define thoroughness and

1 thereby establish the basic assumptions ~~which~~ that govern provision of a
 2 thorough system of public schools. A thorough system of public schools in
 3 Idaho is one in which:

4 ~~1.~~ (a) A safe environment conducive to learning is provided;

5 ~~2.~~ (b) Educators are empowered to maintain classroom discipline;

6 ~~3.~~ (c) The basic values of honesty, self-discipline, unselfishness, re-
 7 spect for authority, and the central importance of work are emphasized;

8 ~~4.~~ (d) The skills necessary to communicate effectively are taught;

9 ~~5.~~ (e) A basic curriculum necessary to enable students to enter academic
 10 or ~~professional-technical~~ career technical postsecondary educational
 11 programs is provided;

12 ~~6.~~ (f) The Students acquire the knowledge and skills necessary for
 13 students to enter the work force are taught meeting challenging aca-
 14 ademic achievement standards and succeeding in the workforce and in
 15 life;

16 ~~7.~~ (g) The students are introduced to current technology; ~~and~~

17 ~~8.~~ (h) The importance of students acquiring the skills to enable them to
 18 be responsible citizens of their homes, schools, and communities is em-
 19 phasized;

20 (i) Students have the right to an uninterrupted education that covers
 21 all disciplines, including music, the arts, and physical education if
 22 such courses are offered by the local education agency;

23 (j) During a period of state or local emergency, if a school district
 24 or public charter school has to change from in-person instruction at a
 25 school facility to virtual instruction or blended or hybrid instruc-
 26 tion, then, to the greatest extent possible and where safety require-
 27 ments can be developed by the school district or public charter school,
 28 an in-person instruction option will be made available to students; and

29 (k) Student progress is monitored and measured in all required courses
 30 of instruction.

31 (3) The state board shall adopt rules, pursuant to the provisions of
 32 chapter 52, title 67, Idaho Code, and section 33-105(3), Idaho Code, to es-
 33 tablish a thorough system of public schools with uniformity as required by
 34 the constitution, but shall not otherwise impinge upon the authority of the
 35 board of trustees of the school districts. Authority to govern the school
 36 district, vested in the board of trustees of the school district, not del-
 37 egated to the state board, is reserved to the board of trustees. Fulfill-
 38 ment of the expectations of a thorough system of public schools will continue
 39 to depend upon the vigilance of district patrons, the dedication of school
 40 trustees and educators, the responsiveness of state rules, and meaningful
 41 oversight by the legislature.